

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES EARNEST CONYERS,

Plaintiff,

File no: 5:06-CV-100

v.

HON. ROBERT HOLMES BELL

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

/

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. Nothing has been filed by either party that would constitute objections.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that:

Plaintiff's motion for disqualification (docket #4) is hereby **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's complaint is hereby **DISMISSED** pursuant to 28 U.S.C. §§1915(e)(2), 1915A(b), and 42 U.S.C. §1997e(c). This dismissal shall count as a strike for purposes of 28 U.S.C. §1915(g).

The Court further finds that there is no good-faith basis for appeal within the meaning of 28 U.S.C. §1915(a)(3).

Date: September 14, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE